

-Summarized Detainee Unsworn Statement

The Tribunal President read the hearing instructions to the Detainee. When asked if he understood the instructions, the Detainee replied as follows:

Detainee: Please read it again. Read it from right before you stopped.

The Tribunal President re-read the instruction to the Detainee.

Tribunal President: Abdullah, do you understand the process?

Detainee: Yes.

Tribunal President: Do you have any questions concerning the Tribunal process?

Detainee: No.

The Personal Representative presented the Detainee Election Form (Exhibit D-a) to the Tribunal.

Tribunal President: The Exhibit D-a also indicates that the Detainee requested a witness. Your request was approved. Your witness is here. We will bring the witness in at a later time.

The Recorder presented the Unclassified Summary of Evidence (Exhibit R-1) to the Tribunal.

The Recorder gave a brief description of the contents of the Unclassified Summary of Evidence.

The Recorder confirmed that he had no further unclassified evidence or witnesses and requested a closed Tribunal session to present classified evidence.

Detainee: Are you going to present that to me or are you going to present it to the Tribunal (referring to the classified information)?

Recorder: To the Tribunal.

The Tribunal President opened the Tribunal by advising the Detainee that it was time to make his statement, if he desired, and informed him that he would have the assistance of his Personal Representative to do so.

Tribunal President: Do you want to present information to the Tribunal and have the Personal Representative to assist you?

Detainee: Ycs.

Tribunal President: Would you like to make your statement under a Muslim oath?

Detainee: I have witnesses and I don't need to take an oath. I not only have one witness, I have 17 witnesses.

Tribunal President: You only requested one witness to appear here is that correct?

Detainee: You told me to request one witness so I only requested one witness.

Tribunal President: No, you could have asked for any witness that you wanted, as long as they were relevant to the allegations on the Unclassified Summary.

Detainee: Seventeen witnesses will say the same thing.

Tribunal President: Okay, then we will just go with one.

Detainee: Okay.

Tribunal President: Personal Representative, were you going to assist Abdullah?

Personal Representative: Would you like to do it as we discussed? I will read your statements and after each one and you can say more after I'm done with my notes?

Detainee: Okay.

3.a.1. The Detainee departed Kyrgyzstan and traveled to Afghanistan, via Pakistan, in July 2001.

Personal Representative: When we met this is what we discussed. It was at the end of July. He left Pakistan at the end of August.

Detainee: That is correct.

Personal Representative: In the place that he stayed, there were no Taliban or al Qaida. His understanding of the Taliban was that they were the local government of the country. Would you like to say more about that?

Detainee: That is enough for that one.

3.a.2. The Detainee attended the Uighur training camp in the Tora Bora Mountains of Afghanistan from September through mid October 2001.

Personal Representative: He does not know exact dates. He stayed one night in Jalalabad, then on the second day he went up to the camp.

Detainee: That is correct. I have one question. When you finish all the evidence, can I have a chance to add some more?

Personal Representative: Absolutely.

Tribunal President: You can also add more to each question if you like.

Detainee: I will add some more or I can to each one.

Tribunal President: You have the option of adding after each allegation and after the Personal Representative responds for you.

Detainee: Yes, I want the Personal Representative to read them and I will answer.

Personal Representative: Also, he said that I stayed at the camp in the mountains from the end of August through when I left the camp when the bombing started. Would you like to add or say more?

Detainee retrieves two sheets of hand written notes from his shirt top pocket.

Detainee: Like they are saying, I stayed there from September to mid October, but I stayed there to the end of August through when the bombing campaign started. After the bombing, we went into the mountains. The place we stayed in the mountains wasn't safe. The reason we stayed inside the mountain longer is because we didn't know the way to get out. But there wasn't any bombing in the place where we stayed. You are calling that place that the Uighur camp was located in Tora Bora, but I didn't know at the time that I was in Tora Bora. When I came here, I heard that from the interrogator. Then, I thought it was the place; that the Uighur camp was in Tora Bora, but I didn't know that. Also, I asked that question to my Personal Representative: are all the mountains, the region, called Tora Bora, or just the Uighur camp? I didn't know that the whole region was called Tora Bora. You call the place we stayed a camp. I don't think it was a camp. A camp has like a big fence for guarding and anything you need like housing and toilets. We didn't have that stuff in the place we stayed. It's located near a village and it's also just an entrance and exit for the mountain area. With all the bad stuff in the area, the bad housing and no toilet, and you call this area a camp, people can laugh. It's a funny joke. Also, you called me part of al Qaida, but in the place I stayed were only Uighur people. I never saw an al Qaida or Taliban person. Uighurs have no association with al Qaida or Taliban. You can always figure it out by looking at their names. They do not even come close to each other. How can you accuse me of being a member of al Qaida? This is not evidence or proof. It is nothing.

3.b.1. The Detainee was present at, and participated in, the battle of Toru Bora.

Personal Representative: During our discussion he said this was not true. The place he stayed was the way to enter the mountains. He did not know at the time that the place was

called Tora Bora. He heard for the first time that it was called Tora Bora here at Guantanamo. The place he stayed was not a combat zone. He traveled there (to the original camp not to the mountains) and he only fired one time at targets. He never participated in any battle of Tora Bora. He left the training camp with all Uighurs when the bombing started.

Detainee: They say that I participated in the combat, but I did not. Neither the place we stayed at first nor where we stayed when we went into the mountains were battle areas. The first place was closer to the village. The second place, there wasn't any bombing going on in that place. Then how could I have participated in a battle? That's true, I trained on weapons. I just trained once when I shot at a target, just a couple of bullets. It doesn't mean that I shot at the enemy. I shot at a target.

3.b.2. The Detainee retreated from his position in the Tora Bora Mountains to Pakistan in late 2001, at which point Pakistani authorities apprehended him and his unit.

Personal Representative: When we met he said that he went to Pakistan with all the other Uighurs. They were hiding in caves, never defending any kind of combat position. He did not even have a personal weapon when we were in the caves or when he traveled to Pakistan. When they traveled they had no food for two days. They traveled for two days to get to Pakistan. He was captured with all the other Uighurs - 18 Uighurs. They were not a combat unit.

Detainee: I want to add some more. You said that I had a position. It wasn't a government position, or manufacturing, or some military position, so how can you say I was in a position?

Tribunal President: Let's clarify that so we can get a correct answer. The way I understand this is that it's referring to the place where you were in the Tora Bora Mountains. You were actually in a location in the Tora Bora Mountains, not an official position.

Detainee: There wasn't any position. We were trying to save our lives by hiding in the cave. That's all we did. If we knew the way to get out of there we would have gotten out, that's the reason we were hiding. We didn't know how to get out. Are you saying that the position is not the camp where I was staying, but where I was hiding in the mountain?

Tribunal President: Correct. You were at a particular location in the mountain.

Detainee: It was just a cave. It was the monkey's territory. We didn't do anything there. Think about it. If monkeys stay in that place, there shouldn't be bombing going on there. If the bombs are going off in that area, how could monkeys stay in that place? The monkeys would have run away somewhere.

Personal Representative: Am I allowed to ask a question at this point regarding this?

Tribunal President: Are you asking us the question or the Detainee?

Personal Representative: What I wanted to say ma'am is that when we read this together, it was my interpretation of this as well as his that "position" was a military-type term. You're saying location. That's not how either of us read this in our defending it. Both of us read this as taking up a military position in the mountains.

Tribunal President: I understood that from his response to it.

Personal Representative: That's how we addressed it.

Tribunal President: Okay. And I feel comfortable, I don't know if you all (the Tribunal Members), but I feel comfortable that you have answered both interpretations of the question.

Detainee: You mean you understand this, that it's not a military position?

Tribunal President: Yes.

Detainee: That's true I didn't travel to Pakistan. It was not Pakistani authorities who captured us, it was the local people, the tribe people. They took us to the mosque and then they said they were going to take us somewhere else. Next they led us to a big gate. I thought we were going somewhere else just a little past the big gate, but I ended up in the prison. The last time I met with the Personal Representative, I asked him: what was meant by unit? I understand that unit means a big military unit. But there wasn't any unit. We were all just the Uighur people. They said that we captured all the Uighur people together. That's true, and we saw some Arab people in the mosque and a lot of Arab people in the prison. That's my evidence for all these accusations. If you let me speak some more, I have something to say.

I will speak for myself and for all Uighurs. You are accusing us of participating in action with al Qaida and the Taliban against the U.S. It does not explain the Uighurs, we are not a part of al Qaida or the Taliban. We have nothing against the U.S. government. We have to solve our own problems with our own countries' independence. We have only one enemy, and that's the Chinese. They have been torturing and killing us all: old, young, men, women, little children, and unborn children. They have been killing these people. We have this kind of enemy. We are the enemy of the Chinese and they are the enemy of us. We have enough enemies. Why would I jump and become an enemy to another country? I wanted to say that, because of all the accusations that you are blaming on me, you don't have any reasonable proof. I want you to check my case and other Uighurs' cases and review all the files fairly. I want all the Uighurs to receive fairness from the review board. There are Uighur people all over the world who are hoping for help from the U.S. government. There was a conference in the U.S. where the people explained what's going on in Kyrgyzstan. It was a lawyer, and we told him that he needs to explain what's going on in our country. You need to explain what's going on and you need to let a big country like America and the American people know. However, now you are blaming

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us. You don't have any reasonable witnesses to blame us. You are making us into your enemy now.

Tribunal President: Does that conclude your statement?

Detainee: I would like to add some more about when I traveled from Kyrgyzstan to Pakistan. I would like to explain some more about when I traveled from Kyrgyzstan to Pakistan.

Tribunal President: Okay, please proceed.

Detainee: The reason I left from Kyrgyzstan to travel to Pakistan was because I was trying to get to Turkey. Kyrgyzstan is not safe for us to stay because recently the Kyrgyzstan government sent Uighur people back to China. The reason they gave was because passports and visas were expired. So, I was trying to go to Turkey. If you buy a ticket from Kyrgyzstan to Turkey, it's a direct flight and will cost a lot of money. People told me if I go from Kyrgyzstan to Pakistan and then to Iran and then to Turkey it's cheaper. They said that if I go from Kyrgyzstan to Pakistan it doesn't require a visa to travel. From Pakistan I was trying to go to Iran, then I asked them if it required a visa. I could get a visa right on time, it's been like almost a month. During that time, it was about a month, I was trying to get an Iranian visa. That first night I arrived from Kyrgyzstan to Pakistan, I found a place. The people in Kyrgyzstan had given the address to a place in Pakistan. I met one of the people I had done business with in the past from Central Asia. This person was also trying to go to Turkey. During this time the guy explained to me that there was a place in Afghanistan. This interested me in going to Afghanistan. I left Kyrgyzstan. I wasn't trying to go to Afghanistan; I was trying to go to Turkey. I read in some magazine or newspaper about Turkey. If Uighur people go to Turkey, the government will give them citizenship and they can leave in peace. I was trying to go there to live in peace.

Tribunal President: Personal Representative, do you have any questions for the Detainee?

Personal Representative: Thank you ma'am, yes I do.

Personal Representative's questions

Q. Where did you fire your weapon in training?

A. At a target.

Q. What I mean is, in the original place - what we call a camp - where you came and where you left when the bombing started and went into the mountains.

A. The place we stayed was the training camp. I shot the gun before the bombing started.

Q. This may have been cleared up, but it was an original question anyway. Did you ever dig a hole? Build barricades? Do anything to defend yourself in the place where you were staying in the mountains?

A. No.

Personal Representative: That is all ma'am.

Tribunal President: Recorder, do you have any questions for the Detainee?

Recorder: No.

Tribunal President: Do any Tribunal Members have any questions for the Detainee?

Tribunal Member's questions

Q. What was your job in Kyrgyzstan?

A. I had a business in a bazaar.

Q. Did you pay for your own travel?

A. Yes.

Q. Did you have your passport when you were turned over to the Pakistanis?

A. No, it was destroyed in the bombing.

Q. In the camp where you got training on the gun, who was your instructor?

A. His name was Hassan Maksim. He was killed by the bombing. He is the one who trained me.

Q. He was a Uighur also?

A. Yes.

Q. Who was over all in charge of the camp? Was it any particular group or organization that was responsible for the camp?

A. There was a guy Abdul Haq, he was the one over all the guests at the camp. He would tell us to do this and do that, but I did not know if there was another organization that was in charge of the camp. I don't know.

Q. You said you originally left your home country to find peace in Turkey?

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A. My first goal was to go to Turkey. It was Kyrgyzstan. I was staying in Kyrgyzstan.

Q. Why did you feel the need to learn how to fire weapons?

A. Because, I was with another business person who explained to me that you can go there and get the weapons training. Also, I had no choice because I couldn't get a visa for Iran to continue my travel. That is when I became interested in getting the training.

Q. But people get weapons training in order to fight, who did you plan on fighting?

A. Like I explained to you earlier, we have only one historical enemy and that is the Chinese.

Q. When you were at the camp you had no intentions on fighting the Northern Alliance or Americans?

A. I need my life and need my country. I don't need anything else.

Q. Are you a member of any other political social groups?

A. No.

Tribunal President's questions

Q. What did you do between August and September? Were you traveling from Pakistan to the camp?

A. Which travel do you mean?

Q. From Pakistan to Afghanistan.

A. I tried to get a visa from the Iranian consulate.

Q. So you spent approximately a month in Pakistan?

A. Yes. At first they told us they were going to give us a visa. But there was some documentation for staying in Pakistan that kept us from getting an Iranian visa.

Q. If I understand you correctly, I'm just trying to get the time down, you were at the camp then for about a month?

A. When did the bombing start?

Q. Mid-October.

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- A. From the end of August to mid-October, so maybe forty or fifty days. It was less than two months.
- Q. What did you do while you were there?
- A. Building a shower, building a bathroom, building a kitchen, building a house.
- Q. How many times did you fire the weapon?
- A. I shot once. A couple of bullets.
- Q. So that's the only military training you had at the camp?
- A. That's the time I spent there. There is nothing else to train. There is not enough time to train a whole lot.
- Q. In 45 to 50 days, you only trained on a rifle one time?
- A. Yes. It was a Kalashnikov rifle. The rest of the time we were doing the construction work building the house and all that stuff.
- Q. So, you never learned how to use any other weapons?
- A. I didn't see any other weapons.
- Q. So, do you feel like your training there was successful?
- A. I don't know what to say.
- Q. Did you learn what you wanted to learn?
- A. I didn't know what I was going to be trained on, but I was happy to get trained.
- Q. Do you have plans of going back to your country? If you are released from prison here.
- A. If I have plans to go back to my country, I wouldn't be safe (inaudible).
- Q. Did someone in your country assist in your travel plans, help you make the arrangements for your travel, buying tickets, telling you where to go, where to stay?
- A. Which way?
- Q. What country are you from?

A. Turkistan.

Q. Turkistan. Did someone in Turkistan help you to make arrangements to travel from Turkistan to Pakistan?

A. First I went to Kyrgyzstan and was planning to go to Pakistan, that is when someone helped me to get to Pakistan and all that stuff.

Q. Okay. Who was that person?

A. He was a person that came from Pakistan. He was the family member of the person that does business right next to him in the bazaar. Probably we knew that too because China has a business agreement with Kyrgyzstan and Pakistan and that's the reason we can go to those countries and do business.

Q. Did you know that person's name?

A. I think that person was a family member of the person who has a little store right next to mine. That was the first time I saw that person.

Tribunal President: That is all the questions I have. We're going to allow for your witness to come in. The Tribunal will ask questions and then you will have the opportunity to ask your witness questions.

The Tribunal went into recess while the Detainee's witness was brought into the hearing room.

The Tribunal is reopened with the detainee's witness present in the hearing room.

Tribunal President: Eman. Is that correct?

Witness: Yes it is correct.

Tribunal President: You've been asked to be here as a witness for Abdullah. This is not your Tribunal but we will ask you questions and Abdullah will ask you questions. Do you understand?

Witness: Yes.

Tribunal President: Would you like to make your statement under a Muslim oath?

Witness: If you are a Witness, you don't really need to take an oath. If you don't have any evidence, then you would take an oath.

Tribunal President: Our policy is that we offer you the opportunity to take a Muslim Oath if you are making a statement on record.

Witness: I won't take an oath.

Tribunal President: Okay, we'll proceed.

Tribunal President: Personal Representative, do you have any questions for the witness?

Personal Representative: Yes ma'am, I do. Thank you.

Personal Representative's questions to witness

Q. Were you ever in battle with Americans or coalition forces in the Tora Bora Mountains?

A. No.

Q. Were you or the Detainee ever in a battle ever?

A. No.

Q. Did you ever see Abdullah get training from Taliban or al Qaida?

A. No, I didn't see it.

Q. Who trained you or him?

A. I don't know who trained him, but the person who trained me was a Uighur. There was only Uighur people in there but I don't know if was trained on weapons or not.

Personal Representative: That's all that I have ma'am thank you.

Tribunal President: Recorder, do you have any questions for the witness?

Recorder: No ma'am.

Tribunal President: Do any tribunal members have questions for the witness?

Tribunal Member's questions

Q. You were at a camp with the Detainee, with Abdullah? You were at a camp together correct?

A. Yes.

Q. What weapons training was done at that camp?

A. It was not mandatory for everyone to have weapons training. I don't know what other people trained on. They showed me the Kalashnikov.

Tribunal President's questions

Q. When did you meet Abdullah?

A. I met him at that place.

Q. At the camp?

A. Yes.

Q. When was that?

A. There are more than just one or two people there. There are a lot of people there. I saw him but don't know when exactly I saw him.

Q. Was it in July, August, September, or October of 2001?

A. Probably between August and September.

Q. Did you have the opportunity to train with Abdullah?

A. No.

Q. Did you work with Abdullah at the camp?

A. Uighurs worked together on the construction, bringing rocks and all the stuff together; all the Uighur people together.

Q. Do you know if Abdullah was a member of any group while he was at the camp?

A. No.

Q. Why did you leave the camp?

A. We expected that there wasn't going to be any bombing in our places, but in the middle of the night the bombing started. We ran inside the mountain and we left.

Q. When you left, did you travel with Abdullah?

A. Yes, all of us Uighurs left together. There were no Uighur left in that place.

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Q. How long did you stay in the mountains, and were you with Abdullah when you left?

A. Yes, he was with me and I don't know how long we stayed in the mountain. Maybe the end of Ramadan; probably in December sometime.

Q. While you were in the mountains, did all the Uighurs stay together?

A. Yes.

Q. Did you observe Abdullah having to protect himself from the bombing at any time?

A. No.

A. Did any of the Uighurs have weapons while you were in the mountains?

A. No.

Q. Where were you captured?

A. The day we crossed the Pakistan border.

Q. Can you explain to me how that happened?

A. When we crossed into Pakistan the local people looked on us, and fed us really good food and then they turned us over to the Pakistani police.

Tribunal President: That's all the questions I have. Abdullah, do you have any questions of the witness?

Detainee: Yes I do.

Tribunal President: Okay, please proceed.

Detainee: Am I an enemy for the United States?

Witness: No.

Tribunal President: Any other questions?

Detainee: That's all I have.

Tribunal President: Okay. We will recess while the Witness is taken from the room. Thank you, Eman, for coming in.

The Tribunal went into recess while the Witness was taken from the hearing room.

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The Tribunal was reopened.

Tribunal President: Abdullah, is there anything that you would like to add to your statement?

Detainee: No.

The Tribunal President confirmed that the Personal Representative had no further evidence to present and that the Detainee had no previously approved witnesses to present to the Tribunal and closed the open session.

The Tribunal President explained the remainder of the Tribunal process to the Detainee emphasizing that if the Detainee is found to be a Non-Enemy Combatant that he would have the opportunity to request a country for his release. The Tribunal President adjourned the open session.

AUTHENTICATION

I certify the material contained in this transcript is a true and accurate summary of the testimony given during the proceedings.



Colonel, U.S. Army
Tribunal President